

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CROSSFIT, INC.,  
Plaintiff,

v.

360 FITNESS SUPERSTORE, et al.,  
Defendants.

Case No. 14-cv-00901-JSW

**ORDER SCHEDULING TRIAL AND  
PRETRIAL MATTERS**

Following the Case Management Conference, IT IS HEREBY ORDERED that the Case Management Statement is adopted, except as expressly modified by this Order. It is further ORDERED that:

**A. DATES**

Jury Trial Date: Tuesday, September 8, 2015, at 8:00 a.m., 5 days

Jury Selection: Wednesday, September 2, 2015, at 8:00 a.m.

Pretrial Conference: Monday, August 17, 2015, at 2:00 p.m.

Last Day to Hear Dispositive Motions: Friday, July 28, 2014 9:00 A.M.

Last Day for Expert Discovery: May 8, 2015]

Close of Non-expert Discovery: March 13, 2015

**B. DISCOVERY**

The parties are reminded that a failure voluntarily to disclose information pursuant to Federal Rule of Civil Procedure 26(a) or to supplement disclosures or discovery responses pursuant to Rule 26(e) may result in exclusionary sanctions. Thirty days prior to the close of non-expert discovery, lead counsel for each party shall serve and file a certification that all supplementation has been completed.

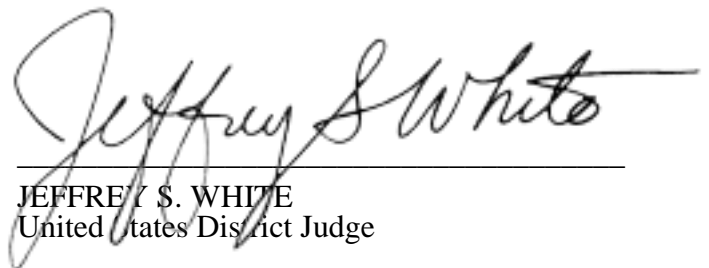
[Pursuant to Federal Rule of Civil Procedure 26(d), no formal discovery shall be initiated by any party until after the meet and confer session by Rule 26(f), except by stipulation of the parties or by prior court order. As soon as a party has notice of this Order, however, the party shall take such affirmative steps as are necessary to preserve evidence related to the issues presented by the action, including, but not limited to, interdiction of any document-destruction programs and any ongoing erasures of e-mails, voice mails, and other electronically-recorded material.]

**C. PROCEDURE FOR AMENDING THIS ORDER**

No provision of this order may be changed except by written order of this court upon its own motion or upon motion of one or more parties made pursuant to Civil. L. R. 7-1 or 7-1-(b) without a showing of very good cause. If the modification sought is an extension of a deadline contained herein, the motion must be brought before expiration of that deadline. The parties may not modify the pretrial schedule by stipulation. A conflict with a court date set after the date of this order does not constitute good cause. The parties are advised that if they stipulate to a change in the discovery schedule, they do so at their own risk. The only discovery schedule that the Court will enforce is the one set in this order. Additionally, briefing schedules that are specifically set by the court may not be altered by stipulation; rather the parties must obtain leave of Court.

**IT IS SO ORDERED.**

Dated: July 28, 2014



JEFFREY S. WHITE  
United States District Judge